



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

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Partial: Complete: XXX Exploration:
Inspection Date & Time: 4/27/2000 / 8:00a.m.-2:00p.m.
Date of Last Inspection: 3/16/2000

Mine Name: Horizon Mine County: Carbon Permit Number: ACT/007/020
Permittee and/or Operator's Name: Horizon Mining LLC
Business Address: PO Box 599, Helper Utah 84526
Type of Mining Activity: Underground XXX Surface Prep. Plant Other
Company Official(s): Dave Miller, Douglas Allred
State Officials(s): Bill Malencik Federal Official(s): None
Weather Conditions: Clear, 60's
Existing Acreage: Permitted- 317 Disturbed- 9 Regraded- Seeded- Bonded- 9
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ XXX Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June) <u> </u> (date)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT
(Continuation sheet)

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PERMIT NUMBER: ACT/007/020

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(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

- Performed a complete inspection of the Horizon Mine. The following things were noted at the mine or through discussions with Messrs Miller and Allred.
- The coal pile is moving to Wildcat Loadout and White Oak. It is estimated that 80% of the coal remains at the site.
- Mine was discharging water. The gauge was jumping between 400-500 GPM. Dave Miller said he measured the outfall and it measured at one-half of the meter volume.
- The operator has employed EarthFax to prepare the new permit on part of the federal lease. Was advised that the permit on part of the 1288 acre federal lease is now in possession of the Division.
- Air Quality Notice of Intent has been submitted to DEQ. This action was the last pending item on Division Order 99B. Mr. Miller stated he received a call and discussed matters with DEQ.
- The mine is hopeful of mining coal by July of 2000.
- Several items requires routine maintenance, IE., silt fences, straw bales, and ditches.
- The mine is not mining coal.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

DOGM Permit

The DOGM permit expires 10/11/2000 and the application on part of the federal lease is in the hands of the Division for review and comment.

UPDES Application

A UPDES permit has been issued covering the pond 001. This addition of 002 to the UPDES permit has been approved by DEQ and covers the mine water discharge per new outfall 002.

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(Continuation sheet)

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4B. HYDROLOGIC BALANCE: SEDIMENT PONDS

The first quarter pond inspection report was inspected and reported on 1/25/2000. The report was certified. The pond was not discharging. The pond bottom was barely covered.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring has been completed for the first quarter.

4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS

UPDES reports were submitted for March 2000.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The matter of coal mine waste has been settled with this understanding that what was referred to as coal waste is high ash coal. This was documented in the board chairman's decision.

On page 11 of the interlocutory order, Chairman Lauriski stated, " DOGM conceded that the pile in question, called the coal waste pile, is a high ash coal pile." Also, he granted temporary relief on Division Order 1, 2, and 4; further, upheld 3a and 3b with exception of identifying the coal waste pile as a waste pile.

Coal waste, as originally approved by the Division, provides for temporary storage on the mine pad. Permanent or final disposition was not authorized in the original MRP. An amendment was approved October 98 authorizing permanent storage of existing coal waste within the coal storage area.

16A. ROADS: CONSTRUCTION/MAINTENANCE/SURFACING

The mine had pulled back the coal piles from the road. The pile is about 30 feet from the road ditch.

20. AIR QUALITY PERMIT

The permittee's air quality order issued by DEQ authorizes 2000 tons of coal to be stored on the surface. The current storage of coal exceeds the DEQ permitted limits. This is based on Wayne Western's measurements as documented in the file. Please refer to the General Comments section for additional details.

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21. BONDING AND INSURANCE

The bonding and insurance documents are of record and are contained in the inspections looseleaf booklet maintained by the mine. Received new liability insurance documents from the Division this month. The current bond expires August 2000. The reclamation agreement is dated July 14, 1999.

OTHER:

-Vicky Miller has a meeting with the mine officials on May 5, 2000 to bridge the change over.

-I called the whistle blowing requirements as covered in the coal rules, R645-104-120 to Mr. Miller's attention.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: <u>David Miller (Horizon)</u>	Henry Austin (OSM)
Given to: <u>Pam Grubaugh-Littig (DOGM)</u>	Filed to: <u>Price Field Office</u>
Date: <u>May 3, 2000</u>	

Inspector's Signature:  #26
Wm. J. Malencik